IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE ELEVENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 18534 of 2004

Between:

Sri Mallikarjuna Podupu Laxmi Group, Rep by its Group Leader,
Smt. B. Laxmi Devi, W/o. Nagi Reddy,
aged 40 years, R/o. Kondamayapalli Village, Rudravaram Mandal, Kurnool District.

..... PETITIONER

AND

1 The Mandal Revenue Officer, Rudravaram Mandal, Kurnool District.
2 The Joint Collector, Kurnool.
3 Sri Laxmi Venkateswara Podupu Laxmi Group, Kondamayapalli Village, Rudravaram Mandal,
Kurnool District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction mostly one in the nature of a Writ of MANDAMUS declaring proceedings ROC No. 29/04 dated 02-09-2004 by the 1st respondent as illegal, arbitrary, in violation of the Principles of natural justice, unconstitutional, unjustified and unsustainable and consequently set aside the same holding that the petitioner is entitled to continue as the implementing agency for Mid Day Meal Scheme of Mandal Parishad Primary School, Kondamayapalli Village, Rudravaram Mandal, Kurnool District.

Counsel for the Petitioner: MR.P.VEERA REDDY, Advocate.

Counsel for Respondent Nos.1 & 2: Govt. Pleader for Revenue.

Counsel for respondent No.3:

The Court made the following :

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Oral Order:

It is stated that the petitioner was appointed as implementing agency for providing Mid Day Meal to the school children of Mandal Parishad Primary School, Kondamavapalli Village. While so, basing on the report of the Mandal Revenue Inspector that the petitioner is acting against the Government rules, the 1st respondent by the impugned proceedings dated 02-09-2004 terminated the services of the petitioner and appointed the 3rd respondent as implementing agency. Questioning the same the present writ petition is filed.

Heard the learned Counsel for the petitioner and learned Government Pleader for Revenue for R1 & R2.

Under the scheme for supply of Mid Day Meal, Collector is the overall supervising authority and the Joint Collector is the monitoring authority against the appointments and terminations made thereunder.

In view of the same, petitioner has to approach the Joint Collector with appropriate representation. On making such representation the Joint Collector has to consider the same and pass appropriate orders within two weeks thereafter.

The writ petition is accordingly disposed of. No costs.

_____ A.GOPAL REDDY, J.

11-10-2004

Note: Issue CC in three days.

(bo)

Murthy

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Mandal Revenue Officer, Rudravaram Mandal, Kurnool District.
2 The Joint Collector, Kurnool.
3 Two CCs to the Govt. Pleader for Revenue, High Court Buildings, Hyderabad (OUT)

4. Two CD copies.